

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

GLENN & DARCIE KANAGA,

Plaintiff,

v.

MONSANTO COMPANY

Defendant.

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CASE NO. 1:23-cv-01882

ORDER

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

On September 27, 2023, Plaintiffs Glenn and Darcie Kanaga sued Defendant Monsanto Company (Monsanto) in the Northern District of Ohio.¹ Plaintiffs allege injury from Glenn Kanaga’s exposure to Defendant Monsanto’s Roundup products.² In their filing, Plaintiffs indicated that their case may be related to Multidistrict Litigation (“MDL”) No. 2741, sited in the Northern District of California.³

On October 27, 2023, the Judicial Panel on Multidistrict Litigation (“JPML” or “Panel”) transferred this case to the Northern District of California—the transferee court—for consolidated pretrial proceedings for MDL No. 2471.⁴

On May 10, 2024, Plaintiffs moved for the Northern District of California to suggest this case be remanded back to this Court—the transferor Court.⁵ With that motion, Plaintiffs explained that MDL No. 2471’s Independent Settlement Master had deemed Plaintiffs’ claim ineligible for MDL No. 2471’s settlement program: MDL No. 2471 dealt with Non-

¹ Doc. 1.

² *Id.*, ¶10.

³ *Id.*, PageID #: 5.

⁴ Doc. 3. See 28 U.S.C. § 1407.

⁵ See *In re: Roundup Prod. Liab. Litig.*, Case No. 3:16-md-2741, Doc. 18352 (J.P.M.L. 2016).

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Hodgkin's Lymphoma, whereas Plaintiff Kanaga was diagnosed with Hodgkin's' Disease. Defendant Monsanto did not oppose the Plaintiffs' motion for suggestion of remand back to the Northern District of Ohio.⁶

On July 1, 2024, the Northern District of California granted Plaintiffs' motion for a suggestion of remand.⁷ Neither party opposed remand. The Panel issued the Conditional Remand Order, which was filed on this Court's docket on July 17, 2024.⁸

There has been little progression in this case since Plaintiffs filed their complaint in September 2023. And, although Plaintiffs used the MDL's short-form complaint, the Northern District of California noted that "[P]laintiff's non-NHL diagnosis means there is little to be gained from adjudicating his case in [MDL 2471].

The Court therefore **ORDERS** Plaintiffs to file any amended pleadings within **thirty (30) days** of this Order. The Court **ORDERS** Defendant Monsanto to respond no later than **thirty (30) days** after any amended pleading is filed.

IT IS SO ORDERED.

Dated: July 18, 2024

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁶ See *In re: Roundup Prod. Liab. Litig.*, Case No. 3:16-md-2741, Doc. 18460 (J.P.M.L. 2016).

⁷ See *In re: Roundup Prod. Liab. Litig.*, Case No. 3:16-md-2741, Doc. 18737 (J.P.M.L. 2016).

⁸ Doc. 6, PageID #: 18.